

Attorney Docket: INX.22.7

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	EATON ET AL.	)	EXAMINER:	
		)		
SERIAL NUMBER:	09/916,443	)	ART UNIT:	1655
		)		
FILING DATE:	JULY 30, 2001	)		
		)		
TITLE:	PARALLEL SELEX	)		
		)		
		)		

Assistant Commissioner for Patents  
Washington, D.C. 20231

**REVOCATION AND SUBSTITUTION OF POWER OF ATTORNEY,  
CHANGE OF CORRESPONDENCE ADDRESS  
AND CERTIFICATION UNDER 37 C.F.R. § 3.73(B)**

Dear Sir:

The undersigned assignee of the above referenced patent application hereby revokes all previous Powers of Attorney and appoints the following attorneys with full power to prosecute the application, to make alterations and amendments therein, and to transact all business in the United States Patent and Trademark Office connected therewith.

I hereby appoint the following attorneys:

Barry J. Swanson	#33,215	Dan Shifrin	#34,473
Thomas D. Bratschun	#32,966	Margaret M. Wall	#33,462
Darla G. Yoerg	#48,053	Rosemary P. Kellogg	#39,726
Steven N. Hird	#51,112	James L. Brown	#48,576

with full power of substitution and revocation to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith and to file and prosecute any international patent applications filed thereon

37 CFR 1.8

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 7 January 2003.

Signature: 

Lisa S. Susser

before any international authorities under the Patent Cooperation Treaty or any foreign patent office, and to file any continuation, divisional, continuation-in-part, reissue or re-examination applications thereon.

### **CHANGE OF CORRESPONDENCE ADDRESS**

Pursuant to 37 C.F.R. § 1.363(a)(3), this request will specify that the correspondence Addressee for purposes of receiving notices, receipts and other correspondence for this patent application is to be changed to:

Steven N. Hird  
Swanson & Bratschun, LLC  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
UNITED STATES OF AMERICA

Telephone: 303.268.0066  
Facsimile: 303.268.0065

Any prior Addressee for this patent application is hereby revoked. It is certified that the person whose signature appears below has the authority to change the Addressee for this patent application, is authorized to sign this document and remains Agent for the Assignee.

### **CERTIFICATE UNDER 37 C.F.R. § 3.73(B)**

INVENUX, INC., a corporation of the State of Colorado, certifies that it is the assignee of the entire right, title and interest in the above referenced patent application by virtue of an Assignment to its parent application U.S. Serial Number 09/157,601 (now U.S. Patent Number 6,048,698). A copy of the Assignment as filed (copy enclosed) has been reviewed by the undersigned officer of INVENUX, INC. who certifies that to the best of the Assignee's knowledge and belief the title is in INVENUX, INC.

The undersigned officer of INVENUX, INC. is empowered to act on behalf of the Assignee.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful

false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Respectfully Submitted,



Ted Tarasow  
Chief Technology Officer  
Invenux Corporation  
6840 North Broadway, Suite F  
Denver, Colorado 80221

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ASSIGNMENT

WHEREAS, Dr. Bruce Eaton, an individual residing in the State of Colorado ("Assignor") is the owner of certain inventions, including applications and Letters Patents of the United States therefore more particularly described in Exhibit I attached hereto;

AND WHEREAS, Invenux, Inc., a corporation organized and existing under the laws of the State of Colorado ("Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions worldwide, including any foreign and domestic applications and patents therefor;

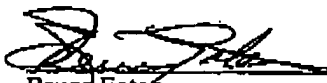
NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration to Assignor in hand paid by Assignee, the receipt of which is hereby acknowledged, Assignor has sold, assigned, and transferred, and by these presents does hereby sell, assign, and transfer unto Assignee, its successors and assigns, Assignor's entire right, title, and interest in and to said inventions worldwide, and all applications for industrial property protection therefor, including, without limitation, any and all applications for patents, utility models, and designs, whether original, divisional, continuation, renewal, reissue, or the like thereof, now on file or hereinafter filed for said inventions anywhere in the world, together with the right to file any such applications and the right to claim for such applications the priority rights derived from said patent applications under the national intellectual property laws of any country or any other international intellectual property laws or agreements as may be applicable, and any industrial property protection, including, without limitation, patents, utility models, and designs, now or hereinafter granted for said inventions anywhere in the world, and any extensions, renewals, reissues, or the like thereof;

AND WE HEREBY authorize and request any official of any State whose duty consists of issuing patents, or other evidence or forms of any industrial property protection on any aforesaid application, to issue same to said Assignee, its successors and assigns, in accordance herewith.

Upon said consideration, Assignor does hereby further covenant and agree with said Assignee, its successors and assigns, that it has the full right to convey the entire interest assigned herein, and that it has not executed, and will not execute, any agreement in conflict herewith, and that it will not do any other act whatsoever conflicting with these present, and that it or its successors, assigns, executors, or administrators will at any time upon request, without further or additional consideration but at the expense of the Assignee, its successors and assigns, communicate to the Assignee, its successors and assigns, any facts known to Assignor respecting said inventions, and testify in any legal proceedings, sign any lawful papers, execute any original, divisional, and continuation applications, make any rightful oaths, and generally do such additional acts as Assignee, its successors and assigns, may deem necessary or desirable to obtain and enforce proper protection for said inventions throughout the world.

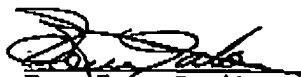

April In Witness Whereof, Assignor has hereunto set its hand and affixed its seal this 10<sup>th</sup> day of ~~March~~ 2000, ~~1999~~.

Assignor:

  
Bruce Eaton

Assignee:

Invenux, Inc., a Colorado corporation

  
Bruce Eaton, President  
  
Ted Tarasow, Secretary

Subscribed and sworn to before me  
this 10<sup>th</sup> day of April, 2000.

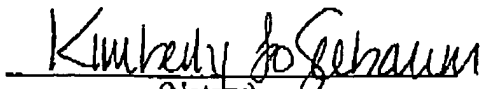
  
(Notary)  
Commission expires  
3/8/2004

EXHIBIT I

## EC PATENTS

## Parallel SELEX

<u>Serial #</u>	<u>File date</u>	<u>U.S. Patent number</u>	<u>Issue Date</u>	<u>Country</u>
08/309,245	09/20/94	5,723,289	3/3/98	US
08/462,389	06/05/95	5,723,592	3/3/98	US
08/463,101	6/5/95	5,789,160	8/4/98	US
08/618,700	3/20/96	5,858,660	1/12/99	US
08/464,107	6/5/95			US
08/793,398	2/24/97			US
09/157,601	9/21/98			US
36795/95	9/19/95			Australia
2,196,286	9/19/95			Canada
95 934 468	9/19/95			Europe
511062/96	9/19/95			Japan
701738/97	9/19/95			So. Korea
294127	9/19/95			New Zealand
334167	9/19/95			New Zealand
97106065	9/19/95			Russia
US95/11982	9/19/95			WIPO

## Modified Nucleosides

<u>Serial #</u>	<u>File date</u>	<u>U.S. Patent number</u>	<u>Issue Date</u>	<u>Country</u>
08/458,421	6/2/95	5,719,273	2/17/98	US
08/952,338	11/4/97	5,945,527	8/31/99	US
08/459,073	6/2/95			US
61468/96	5/30/96			Australia
2,221,279	5/30/96			Canada
96 919 015.6	5/30/96			Europe
536652/96	5/30/96			Japan
US96/08026	5/30/96			WIPO

**Methods for the Cyclotrimerization of Alkynes in Aqueous Solution**

<u>Serial #</u>	<u>File date</u>	<u>U.S. Patent number</u>	<u>Issue Date</u>	<u>Country</u>
08/619,228	3/20/96	5,659,069	8/19/97	US
08/816,588	3/3/97	5,760,266	6/21/98	US
08/816,709	3/13/97			US
21351/97	2/25/97			Australia
2,248,352	2/25/97			Canada
97 906 737.8	2/25/97			Europe
533471/97	2/25/97			Japan
US97/02820	2/25/97			WIPO